

Patent  
Attorney's Docket No. 027650-857

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Guido MORUZZI

Application No.: 09/530,361

Filed: April 28, 2000

For: METHOD AND APPARATUS FOR  
STERILIZING A PACKAGING  
SHEET MATERIAL

)  
)  
) Group Art Unit: 1744

)  
) Examiner: M. R. Chorbaji

)  
) Confirmation No.: 5394

**RECEIVED**  
JAN 27 2004  
TC 1700

**SECOND**  
**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56,  
Applicant hereby submits the following information in conformance with 37 C.F.R.  
§§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is  
enclosed.

**U. S. PATENT DOCUMENTS**

1. EGGER, U.S. Patent No. 3,904,361, issued on September 9, 1975;
2. RAMLER et al., U.S. Patent No. 4,037,112, issued on July 19, 1977;
3. HELDING, U.S. Patent No. 4,005,135, issued on January 25, 1977;
4. GILLIAND et al., U.S. Patent No. 4,056,921, issued on  
November 8, 1977;
5. HATANAKA et al., U.S. Patent No. 4,797,255, issued on  
January 10, 1989;
6. CARLSSON et al., U.S. Patent No. 4,944,132, issued on July 31, 1990;
7. FOTI, U.S. Patent No. 4,992,247, issued on February 12, 1991;
8. FABRICIUS, U.S. Patent No. 5,069,017, issued on December 3, 1991;

9. DUFFEY, U.S. Patent No. 5,114,670, issued on May 19, 1992;
10. LEE et al., U.S. Patent No. 5,124,212, issued on June 23, 1992;
11. DUFFEY et al., U.S. Patent No. 5,129,212, issued on July 14, 1992;
12. VOKINS et al., U.S. Patent No. 5,178,841, issued on January 12, 1993;
13. CASTBERG et al., U.S. Patent No. 5,213,759, issued on May 25, 1993;
14. SIZER et al., U.S. Patent No. 5,326,542, issued on July 5, 1994;
15. LAGUNAS-SOLAR et al., U.S. Patent No. 5,364,645,  
issued on November 15, 1994;
16. CARLSON, U.S. Patent No. 5,368,828, issued on November 29, 1994;
17. SIZER et al, U.S. Patent No. 5,433,920, issued on July 18, 1995; and
18. DUTHIE, U.S. Patent No. 5,547,635, issued on August 20, 1996;

#### **FOREIGN PATENT DOCUMENTS**

1. MORUZZI, European Patent Application No. 97830555.5,  
published on June 6, 1999.

#### **OTHER NON-PATENT DOCUMENTS**

1. RUTHERFORD et al., "Method to sensitize bacterial spores to subsequent killing by dry heat or ultraviolet irradiation", *Journal of Microbiological Methods*, 2000, pp. 281-90, vol. 42, Elsevier Biomedical, Amsterdam, Holland;
2. REIDMILLER et al., "Characterization of UV-Peroxide Killing of Bacterial Spores", *Journal of Food Protection*, 2003, pp. 1233-40, vol. 66, no. 7, New York, New York;
3. BAGYAN et al., "The *katX* Gene, Which Codes for the Catalase in Spores of *Bacillus subtilis*, Is a Forespore-Specific Gene Controlled by  $\sigma^{OF}$ , and KatX Is Essential for Hydrogen Peroxide Resistance of the Germinating Spore", *Journal of*

*Bacteriology*, 1998, pp. 2057-62, vol. 180, no. 8, American Society for Microbiology, Washington, DC.;

4. BAYLISS et al., "The Combined Effect of Hydrogen Peroxide and Ultraviolet Irradiation on Bacterial Spores", *Journal of Applied Bacteriology*, 1979, pp. 263-69, vol. 47, American Society for Microbiology, Washington, DC; and
5. BAYLISS et al, "The synergistic killing of spores of *Bacillus Subtilis* by Hydrogen Peroxide and Ultra-Violet Light Irradiation," *FEMS Microbiology Letters*, 1979, pp. 331-33, vol. 5, Elsevier Science Publishers, Amsterdam, Holland & New York.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c) the fee in the amount of \$180.00 (1806) set forth in 37 C.F.R. § 1.17(p) is enclosed.

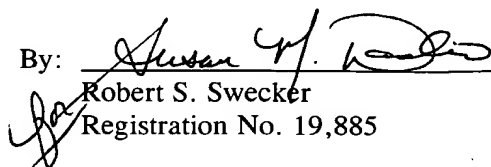
To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner-initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: January 20, 2004

By:

 Reg. No.  
40,373  
Robert S. Swecker  
Registration No. 19,885

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Substitute for forms 1449A/PTO &amp; 1449B/PTO

ATTORNEY'S DKT NO.  
027650-857APPLICATION NO.  
09/530,361SECOND INFORMATION DISCLOSURE  
STATEMENT BY APPLICANTAPPLICANT  
Guido MoruzziFILING DATE  
April 28, 2000GROUP  
1744

## U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	3,904,361		Egger	09-09-1975
	4,005,135		Helding	01-25-1977
	4,037,112		Ramler et al.	07-19-1977
	4,056,921		Gilliand et al.	11-08-1977
	4,797,255		Hatanaka et al.	01-10-1989
	4,944,132		Carlsson et al.	07-31-1990
	4,992,247		Foti	02-12-1991
	5,069,017		Fabricius	12-03-1991
	5,114,670		Duffey	05-19-1992
	5,124,212		Lee et al.	06-23-1992
	5,129,212		Duffey et al.	07-14-1992
	5,178,841		Vokins et al.	01-12-1993
	5,213,759		Castberg et al.	05-25-1993
	5,326,542		Sizer et al.	07-05-1994
	5,364,645		Lagunas-Solar et al.	11-15-1994
	5,368,828		Carlson	11-29-1994
	5,433,920		Sizer et al.	07-18-1995
	5,547,635		Duthie, Jr.	08-20-1996

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes No
	0 919 246	B1	Europe	04-24-2002	

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	RUTHERFORD et al., "Method to sensitize bacterial spores to subsequent killing by dry heat or ultraviolet irradiation", <i>Journal of Microbiological Methods</i> , 2000, pp. 281-90, vol. 42, Elsevier Biomedical, Amsterdam, Holland.
	REIDMILLER et al., "Characterization of UV-Peroxide Killing of Bacterial Spores", <i>Journal of Food Protection</i> , 2003, pp. 1233-40, vol. 66, no. 7, New York, New York
	BAGYAN et al., "The <i>katX</i> Gene, Which Codes for the Catalase in Spores of <i>Bacillus subtilis</i> , Is a Forespore-Specific Gene Controlled by $\sigma^{of}$ , and KatX Is Essential for Hydrogen Peroxide Resistance of the Germinating Spore", <i>Journal of Bacteriology</i> , 1998, pp. 2057-62, vol. 180, no. 8, American Society for Microbiology, Washington, DC.

Substitute for forms 1449A/PTO &amp; 1449B/PTO

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# SECOND INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT

Guido Moruzzi

FILING DATE

April 28, 2000

GROUP

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## NON PATENT LITERATURE DOCUMENTS

Examiner  
Initials

Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

BAYLISS et al., "The Combined Effect of Hydrogen Peroxide and Ultraviolet Irradiation on Bacterial Spores", *Journal of Applied Bacteriology*, 1979, pp. 263-69, vol. 47, American Society for Microbiology, Washington, DC.

BAYLISS et al., "The synergistic killing of spores of *Bacillus Subtilis* by Hydrogen Peroxide and Ultra-Violet Light Irradiation," *FEMS Microbiology Letters*, 1979, pp. 331-33, vol. 5, Elsevier Science Publishers, Amsterdam, Holland & New York.

Examiner  
Signature

Date

Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.